

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of New York**

STUDENTS FOR FAIR ADMISSIONS

)

)

)

)

*Plaintiff(s)*

)

v.

Civil Action No. 7:23-CV-08262

THE UNITED STATES MILITARY  
ACADEMY AT WEST POINT et al.

)

)

)

*Defendant(s)*

)

**SUMMONS IN A CIVIL ACTION**To: *(Defendant's name and address)* (See attached addendum for all defendants)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Thomas R. McCarthy, CONSOVOY MCCARTHY PLLC  
1600 Wilson Boulevard, Suite 700  
Arlington, VA 22209

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*Date: 9/20/2023/s/ P. Canales*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 7:23-CV-08262

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) \_\_\_\_\_  
 was received by me on (*date*) \_\_\_\_\_.

I personally served the summons on the individual at (*place*) \_\_\_\_\_  
 \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_,  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
 \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

STUDENTS FOR FAIR ADMISSIONS,

Plaintiff,

No. 7:23-cv-08262

v.

THE UNITED STATES MILITARY ACADEMY AT WEST POINT; THE UNITED STATES DEPARTMENT OF DEFENSE; LLOYD AUSTIN, in his official capacity as Secretary of Defense; CHRISTINE WORMUTH, in her official capacity as Secretary of the Army; LIEUTENANT GENERAL STEVEN GILLAND, in his official capacity as Superintendent of the United States Military Academy; and LIEUTENANT COLONEL RANCE LEE, in his official capacity as Director of Admissions for the United States Military Academy at West Point,

Defendants.

**ADDENDUM TO SUMMONS**

**TO:**

United States Military Academy at West Point  
606 Thayer Rd  
West Point, NY 10996

United States Department of Defense  
1400 Defense Pentagon  
Washington, DC 20301-1400

Lloyd Austin

Secretary of Defense  
United States Department of Defense  
1400 Defense Pentagon  
Washington, DC 20301-1400

Christine Wormuth  
Secretary of the Army  
Department of the Army  
101 Army Pentagon  
Washington, DC 20310-0101

Steven Gilland  
Superintendent, United States Military Academy at West Point  
United States Military Academy at West Point  
606 Thayer Rd  
West Point, NY 10996

Rance Lee  
Director of Admissions, United States Military Academy at West Point  
United States Military Academy at West Point  
606 Thayer Rd  
West Point, NY 10996